

REPORT UPDATE

Application No: AL/3/10/

Reason for the Update / Changes

Reason for Update/Changes:

Aldingbourne Parish Council resolved to withdraw their no objection and replace it with the following objection:

Having considered the application Aldingbourne Parish Council would wish to make the following comment:-

1. The application site lies outside of the development area boundary
2. The applicant has not suitably demonstrated a need for additional holiday accommodation in the locality. It is considered that existing need is satisfied by bed & breakfast accommodation, caravan sites and short term lets of other property within a reasonable distance of the site.
3. It is not considered that one unit will make any material contribution to improvement or sustainability of the local economy.
4. Hook Lane, being the only access route to the site, is an unlit tural road with no footpath and does not benefit from a public transport service. Additional vehicular movements to and from the site are therefore inevitable. Hook Lane alreday suffers from lack of maintenance by the highways authority and is unsuitable for regular use by large or heavy goods vehicles or for increased movements of any other vehicles.

Officers Comment:

National and local planning policy support the conversion of rural buildings outside built up area boundaries for commercial/tourist accommodation without having to demonstrate a need for such a facility.

This is a low scale activity that will not have an unacceptable impact in terms of increased vehicular use from the site.

Notes: Changes to recommendations, conditions and / or reasons for refusal will always be reflected in the recommendation section of the attached Officer's Report/Recommendation.

AL/3/10/

PLANNING APPLICATION REPORT

REF NO: AL/3/10/

LOCATION: Rowemount
Hook Lane
Aldingbourne

PROPOSAL: Change of use of barn used for domestic use to residential holiday let with 2 bedrooms

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	The building, a redundant farm building, is single storey and currently in domestic use ancillary to the main dwelling Rowemount. The proposal is to convert it into tourist accommodation comprising two bedrooms.
SITE AREA	86 sq.m
RESIDENTIAL DEVELOPMENT DEN	N/A
TOPOGRAPHY	Predominantly flat.
TREES	None of any significance affected by the proposed development.
BOUNDARY TREATMENT	Open plan with 2m high close boarded wooden fencing along west elevation.
SITE CHARACTERISTICS	Set back by 90m, within curtilage of Rowemount, from Hook Lane where the boundary comprises dense hedging/bushes. Some 40m to the south is the parent building Rowemount a 2 storey detached residential property. A copse to the west and north.
CHARACTER OF LOCALITY	Rural with some sporadic residential development off Hook Lane.

RELEVANT SITE HISTORY

AL/18/90	Demolish existing dwelling and outhouses - erect new house	Approve Cond 09-04-1990
AL/8/09/CLE	Application for a Lawful Development Certificate for an existing use - Residential curtilage	Approve 15-04-2009
AL/70/09/CLE	Application for a Lawful Development Certificate for an existing use - vegetable gardens & barns next to main house	Withdrawn 21-01-2010

REPRESENTATIONS**Representations received:**

No objection.

1 letter of objection from West Sussex Wildlife Protection on the grounds of possible bat habitation.

Comments on Representations received:

Noted. The building is currently used for residential storage and an informative has been recommended advising the applicant of legislative regulations regarding protection of bats.

CONSULTATIONS

WSSC Local Development Divis.

Consultations responses received:

County Highways

Advice. No changes proposed to existing parking and turning arrangement. Unlikely to intensify use of existing access and there is therefore no impact upon highway safety.

West Sussex County Council Local Development Division - Objection

The site is outside built up area boundary. The applicant has not demonstrated the need for holiday accommodation and it is considered that there are other tourist facilities within a reasonable distance.

Comments on Consultation responses:

There is no evidence to support the claim that there are other tourist facilities within a reasonable distance.

POLICY CONTEXT

Designation applicable to site:

Outside Built Up area boundary

DEVELOPMENT PLAN POLICIES

South East Plan:	SEPTSR2	Rural Tourism
Arun District Local Plan:	GEN2 GEN3 GEN7 DEV1 DEV35	Built-up Area Boundary Protection of the Countryside The Form of New Development Conversion of Rural Buildings for Industrial or Business Use Tourism Development Requiring a Coastal Location

PLANNING POLICY GUIDANCE

PPS1	Delivering Sustainable Development
PPS7	Sustainable development in rural areas
PPS4	Planning for Sustainable Economic Growth
PPG13	Transport

SUPPLEMENTARY POLICY GUIDANCE

XXX3	Good Planning Practice Guide on Tourism
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POLICY COMMENTARY

The above policies combine to describe the criteria against which the application will be assessed particularly with regard to visual and residential amenity.

DEVELOPMENT PLAN AND/OR LEGISLATIVE BACKGROUND

Section 38(6) of the Planning and Compulsory Purchase Act 2004 states:-

"If regard is to be had to the development plan for the purpose of any determination to be made under the planning Acts the determination must be made in accordance with the plan unless material considerations indicate otherwise."

The proposal is considered to comply with relevant Development Plan policies in that it would have no materially adverse effect on the visual amenities of the locality or the residential amenities of the adjoining properties, nor would it have an adverse impact upon the established

character of the surrounding area.

OTHER MATERIAL CONSIDERATIONS

It is considered that there are no other material considerations to warrant a decision otherwise than in accordance with the Development Plan and/or legislative background.

CONCLUSIONS

Principle

The criteria for the conversion of rural buildings into commercial use is set out in Arun's local plan policy DEV1 and requires such development:

- to be in a permanent and structurally sound building,
- to be in keeping and sympathetic to the rural character of the area
- does not have a significant adverse impact on road safety.

National Policy in the form of PPS4 - Planning for Sustainable Growth and PPS7 - Sustainable Development in Rural Areas and the Good Planning Practise Guide on Tourism supports the location of tourist and visitor facilities in existing or replacement buildings, particularly where they are located outside existing settlements (PPS4 Para. EC7.1b & PPS7 Para.36).

Structural Integrity of the Building

Although no structural survey has been submitted with the application, the Design and Access Statement specifies that the building is built of handmade bricks with a handmade tile pitched roof and its current use is for domestic garden purposes. It is also stated that there will be no alterations to the building other than inserting windows and doors where there are garage doors. Furthermore, the building was found to be structurally sound when conducting an internal site inspection. It is therefore considered that the building is structurally sound and is capable of conversion without major alteration.

Character and Appearance of the Area

The building is currently in use for domestic storage and was previously used for agricultural purposes with two vehicle spaces incorporated within the building. It has therefore, over time, experienced a variety of uses and activity. The proposed tourist use of the building as a two bedroom unit will not result in a level of activity significantly greater than has been the case before and is therefore acceptable and in keeping with the character and appearance of the locality.

Highway Matters/Sustainability

It is not anticipated that the new use of the barn will generate any more car trips than has historically been the case or can potentially be the case with two car parking spaces available. It is likely that tourist clients will arrive by car and when off site will tend to be away for long periods of time visiting nearby attractions. Car trips in and out of the application site will therefore tend to be limited. Furthermore, County Highways have not objected to this proposal on highway safety grounds.

Summary

It is considered that the proposal meets policy DEV1 and associated criteria for the conversion of rural buildings into commercial use. In addition there is considerable national policy support for tourist accommodation particularly where it concerns the use of existing buildings outside built up area boundaries. It is therefore recommended that the application be approved subject to the

following conditions.

RECOMMENDATION

APPROVE CONDITIONALLY

- 1 The development hereby permitted shall be begun before the expiration of 3 years from the date of this permission.

Reason: To comply with Section 91 of the Town and Country Planning Act 1990 (as amended).

- 2 The proposed unit shall be used as holiday accommodation only, for individual lets up to and no more than 28 consecutive nights, and for no other purpose (this accommodation comprises 2 bedrooms, bathroom and combined kitchen/living room).

Reason: In the interests of amenity in accordance with Policy GEN7 and DEV1 of the Arun District Local Plan.

- 3 This permission relates to the following approved plans: site plan, drawing no. 1209.01, drawing no.1209.02 received 3rd February 2010.

Reason: For the avoidance of doubt and in the interests of amenity and the environment in accordance with policy GEN7 & DEV1 of the Arun District Local Plan.

- 4 This permission is for the in-situ conversion of the building with associated works and does not purport to permit the dismantling and re-erection of the building as a whole or any part therein, or its partial/total demolition, removal, rebuilding or reassembly, other than by any specific items which have been explicitly so described in the application documents.

Reason: In order to ensure that the proposal represents a conversion and not a rebuild which would be contrary to policy DEV1 of the Arun District Local Plan.

- 5 Notwithstanding the provisions of Part 1 of Schedule 2 of the Town and Country Planning (General Permitted Development) Order, 1995 (or any Order revoking or re-enacting this Order) no extensions (including porches or dormer windows) to the barn shall be constructed or buildings shall be erected within the curtilage unless permission is granted by the Local Planning Authority on an application in that behalf.

Reason: To safeguard the privacy and amenity of adjoining occupiers, maintain adequate amenity space and safeguard the cohesive appearance of the development in accordance with policy GEN7 of the Arun District Local Plan.

- 6 **INFORMATIVE:** Summary of Reasons for Grant Article 22(1) General Development Procedure Order 1995

SUMMARY

This planning permission is granted because it complies with the policies listed below in that the development would not cause any material adverse effect on visual or residential amenity on the surrounding area and its character and there are no material considerations to indicate otherwise.

RELEVANT POLICIES

LOCAL PLAN: GEN2, GEN3, GEN7, DEV1, DEV35

NATIONAL POLICIES: PPS1, PPS4, PPS7, PPG13

This is only a summary of reasons for granting to comply with Article 22 and full reasons appear in the Officer report.

- 7 **INFORMATIVE:** This notice does not give authority to destroy or damage a bat roost or disturb a bat. Bat species are protected under Section 39 of the 1994 Conservation (Natural Habitats etc) Regulations (as amended), the 1981 Wildlife and Countryside Act (as amended) and the 2000 Countryside and Rights of Way Act. It is illegal to damage or destroy any bat roost, whether occupied or not, or disturb or harm a bat. If you are aware that bats roost in a tree(s) for which work is planned, you should take further advice from Natural England (via the Bat Conservation Trust on 0845 1300228) or an ecological consultant before you start. If bats are discovered during the work, you must stop immediately and contact Natural England before continuing.